

MAILED UNITED STATES PATENT AND TRADEMARK OFFICE

APR 28 2003

PAT. & T.M. OFFICE
BOARD OF PATENT APPEALS
AND INTERFERENCES

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

Ex parte ISIK C. KIZILYALLI, JOSEPH RUDOLPH RADOSEVICH
and PRADIP KUMAR ROY

Application No. 09/516,004

ORDER RETURNING UNDOCKETED APPEAL TO EXAMINER

This application was received at the Board of Patent Appeals and Interferences on April 18, 2003. A review of the application has revealed that the application is not ready for docketing as an appeal. Accordingly, the application is herewith being returned to the examiner. The matters requiring attention prior to docketing are identified below:

Appellants filed the following Information Disclosure Statements (IDS's):

- (1) IDS filed October 23, 2002 (Paper No. 19)
- (2) IDS filed February 3, 2003 (Paper No. 22)

It is not clear from the record whether the examiner considered the statements submitted or whether the examiner notified appellants of why their submissions did not meet the criteria set forth in 37 CFR §§ 1.97 and 1.98.

Application No. 09/516,004

Accordingly, it is

ORDERED that the application is returned to the examiner for consideration of the IDS's filed on October 23, 2002 (Paper No. 19) and February 3, 2003 (Paper No. 22), notification to appellants in writing of such consideration, and for such further action as may be appropriate.

BOARD OF PATENT APPEALS
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By:



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DMS/clm/dm
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